

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHERLYNN MacDONALD,

Plaintiff,

v.

CASE NO. 14-CV-12695
HONORABLE GEORGE CARAM STEEH

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (DOC. #8) GRANTING DEFENDANT'S
MOTION TO DISMISS (DOC. #5) AND DISMISSING ACTION**

Before the court is defendant's motion to dismiss the complaint, which was referred to the magistrate judge for a report and recommendation. On January 6, 2015, Magistrate Judge Steven Whalen issued his report, recommending that the court grant defendant's motion to dismiss, because plaintiff's complaint was filed almost six months past the limitations period for appealing the denial of benefits by defendant.

The magistrate judge specifically stated that any objections to his report were to be filed within 14 days of service, and that failure to file such objections constituted a waiver of any further right to appeal. See *Thomas v. Arn*, 474 U.S. 140, 155 (1985). No such objections were filed by either party.

The court has reviewed the record and briefing in this matter, as well as the magistrate judge's report and recommendation. Finding that report and recommendation to be well-reasoned, the court hereby adopts the result recommended therein.

Accordingly, defendant's motion to dismiss (Doc. #5) is GRANTED. This case is DISMISSED.

IT IS SO ORDERED.

Dated: January 27, 2015

s/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 27, 2015, by electronic and/or ordinary mail.

s/Marcia Beauchemin

Deputy Clerk